

Remarks

Claims 27-29 and 31-37 have been canceled. Claims 10 and 11 have been amended. New claims 38-47 have been added. Therefore, claims 1-8, 10-21, and 38-47 remain in the application. Please reconsider the application in view of the foregoing amendments and following remarks:

Amendment of Priority Data

Applicant respectfully requests entry of the above amendment to the priority data. Applicants respectfully refer the Patent Office to the following paragraph located in the Manual of Patent Examining Procedure (MPEP), §202.11, paragraph D, column 2, at page 200-59, with emphasis added:

If an applicant includes a benefit claim in the application but not in the manner specified by 37 CFR 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 CFR 1.78(a), the Office ***will not require a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt.***

With reference to the above passage in the MPEP, Applicants respectfully refer the Patent Office to the corrected filing receipt mailed by the Patent Office on October 12, 2001, which contains the following paragraph:

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON of 09/483,113 01/14/2000*
AND A CON OF 09/497,914 02/04/2000
AND CLAIMS BENEFIT OF 60/204,154 05/15/2000
AND CLAIMS BENEFIT OF 60/127,972 04/06/1999
(*) Data inconsistent with PTO records.

Thus, because the benefit claim was “recognized by the Office as shown by its inclusion on the filing receipt,” the Applicants respectfully request that the Office correct the claim without requiring a petition and surcharge. Such action is respectfully requested.

Patentability of Claims 27-29 and 31-37 over Sim

The Office Action rejected canceled claims 27-29 and 31-37 as unpatentable under 35 U.S.C. §102(e) over Sim, U.S. Patent No. 6,213,880 (“Sim”). The Applicants respectfully assert that Sim fails to teach or suggest the recited arrangement. For example, Sim fails to teach or suggest “a request from an application program to create an action-to-control mapping.” However, Applicants have made a temporal and commercial decision to pursue allowance of this application, and for that reason have decided to canceled claims 27-28 and 31-37. Applicants will consider pursuing the canceled claims in a continuation application. This application should now be in condition for allowance. Such action is respectfully requested.

Obviousness-type Double Patenting

The Office asserts an obviousness-type double patenting rejection of claims 1-21, over Leatham, et al., U.S. Patent No. 6,727,884 (Leatham). Applicants respectfully assert that the claims are patentably distinct from the provided reference. However, to expedite issuance of the claims, Applicants hereby submit a terminal disclaimer. The terminal disclaimer places all claims into condition for allowance. Such action is respectfully requested.

Formal Request For Interview

Upon reviewing this response, if any issues remain, the Examiner is formally requested to contact the undersigned prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Response so that the Examiner may fully evaluate Applicants’ position, thereby enabling the interview to be more focused. This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

New Claims

New claim 38 should be allowable for at least the reasons claim 1 is allowable. For example claim 38 recites “responsive to receiving the call at the action-control set-up interface, associating the set of actions to a plurality of controls of a user input device based upon

semantics of the application genre.” For at least this reason claim 38 is allowable. Such action is respectfully requested. Claims 39-44, which depend on claim 38, should be allowable for at least the same reasons, as well as the respective features recited therein. Such action is respectfully requested.

New claim 45 should be allowable for at least the reasons claim 1 is allowable. For example claim 45 recites “receiving an action-control set-up call from an application during initial configuration of the application, the call comprising a set of actions implemented by the application and a genre of the application and associating the set of actions to plural controls of an input device based upon semantics of the genre.” For at least this reason claim 45 is allowable. Such action is respectfully requested. Claims 46-47, which depend on claim 45, should be allowable for at least the same reasons, as well as the respective features recited therein. Such action is respectfully requested.

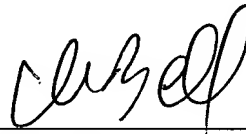
Conclusion

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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